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IN THE

Supreme Court of the United States

OCTOBER TERM, 1964

No. 385

IDA GROSSMAN, *et al.*,
Petitioners,

vs.

JEANETTE STUBBS, *et al.*,
Respondents.

RESPONDENTS' BRIEF IN OPPOSITION TO PETITION FOR A WRIT OF CERTIORARI TO THE SUPREME COURT OF NEW JERSEY

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This is a petition for a writ of *certiorari* to review the action of the Supreme Court of New Jersey in denying petitioner's petition to that court for certification to the Appellate Division of the Superior Court of New Jersey to review the action of the latter court in affirming a judgment of the Bergen County Court.

This case arose out of an automobile negligence action involving petitioner's claim for personal injury and her husband's claim *per quod*. The facts are set forth in the opinion of the Appellate Division of the Superior Court, printed in petitioners Appendix beginning at A1.

1. Petitioner's basic claim is that the verdict in her favor was too low. She asserts that her rights under the Fourteenth Amendment and Articles III and VII of the United States Constitution were violated. Petitioner has failed to specify in what respect her rights were violated other than to claim dissatisfaction with her counsel and her trial attorney. This general objection was not raised by petitioner until the entry of the judgment after the second trial. Petitioners contentions were considered at length by the Appellate Division of the Superior Court and found without merit. The same contentions were urged by petitioner in her petition to the Supreme Court of New Jersey for certification and were again found without merit.

2. The proposed settlement of petitioner's husband's claim for his personal injury referred to in her petition arose out of the same accident. It was no part of petitioner's claim and is presently before the Bergen County Court on remand from the Appellate Division as the result of a separate appeal. Petitioner's husband's proposed settlement should not be included or referred to in this petition.

3. Petitioner's accusations against her counsel, her trial attorney, the Hudson County Ethics Committee, the Administrative Director of the Supreme Court of New Jersey and the trial Judge are utterly false and groundless.

4. This case does not involve any issue arising under the Federal Constitution or the Constitution of New Jersey.

5. Inasmuch as no substantial State or Federal question is involved in this case, it seems superfluous to point out that the constitutional question now urged was never presented to the trial court.

6. Petitioner has failed to set forth any special or important reasons for the granting of a writ of *certiorari*.

7. For the reasons above set forth, it is respectfully submitted that the petition for a writ of *certiorari* should be denied.

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